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08/426,798	04/24/95	KAWAI	H 35G1460

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EXAMINER

GREENING, W

ART UNIT

PAPER NUMBER

2604

DATE MAILED:

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Please find below and/or attached an Office communication concerning this application or proceeding.

See Attached.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/426,798

Applicant(s)

H. Kawai

Examiner

Wendy R. Garber

Group Art Unit

2604



☐ Responsive to communication(s) filed on _____.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-12 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-12 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☒ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 5

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2604

1. The abstract of the disclosure is objected to because it needs to describe the invention in adequate detail. As will be seen below with regard to the claims, the invention is described so broadly as to not give the reader adequate information regarding the nature of the invention as described in the specification. Correction is required. See MPEP § 608.01(b).

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-5, 7-8 and 10-12 are rejected under 35 U.S.C. 102(a) as being anticipated by Ishiyama.

As shown in figure 1, Ishiyama discloses an image pickup means (1), an image pickup direction switching means (3), a first detection means (14) which detects the angle of the image pickup means, and figure 6 shows a storage means (27). As discussed in the abstract, the storage of the image is controlled based upon whether the camera is angled toward a document or toward a person. Therefore, the storage means stores "the image signal according to the detected angle".

As for claim 2, the second detection means can also be considered as direction detection part (14). If the camera is fixed and not moving, this detection part will detect this. As stated above, the direction of the camera determines how the image is stored in the memory.

Regarding claim 3, figures 1-4 show a driving means which moves the camera. Although a motor-type driving means is not explicitly shown, it is considered inherent since the camera moves presumably in response to a user input from keyboard 10.

Art Unit: 2604

As for claim 4, as stated above, the camera is capable of moving between imaging a document and imaging a person. Images are stored from the camera at all times. Therefore, the time at which the camera changes position from imaging a document to imaging a person is also stored.

Regarding claim 5, figure 6 shows that the images stored in the memory are read out and displayed. This is done constantly while images are being recorded. As such, the storage means is "controlled" (that is, images are read out) at a time at which the camera is shifted from imaging documents to imaging a person.

Claim 7 is considered substantively equivalent to claim 1 with the additional limitation of a mount table. This is clearly shown as element 5 in figure 1.

As for claim 8, the control means which reads out the images stored in the memory reads out images continuously as long as they are being recorded. Therefore, the control means "allows" a signal previously stored to be read out when the camera is focussed on an object other than a document (such as a person).

Claim 10 is considered substantively equivalent to claim 1 discussed above.

Claim 11 is considered substantively equivalent to claim 4 discussed above.

Claim 12 is considered substantively equivalent to claim 5 discussed above.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

Art Unit: 2604

such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishiyama in view of Mizoguchi.

Ishiyama does not explicitly state that the storage means includes more than two storage areas. This implies that two or more frames of image data may be stored in the memory.

Mizoguchi also discloses a camera system that stores image data of people or images of events other than people. On page 4, lines 17+, Mizoguchi states that still image data can be stored as a group of image data. This allows for more than one frame of data to be stored at one time. This allows for more data to be replayed, which is advantageous. For this reason, it would have been obvious to have the storage means in Ishiyama capable of storing a plurality of frames by being divided into a plurality of storage sections.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Mano.

This rejection is given as an alternate to the one discussed above. It is noted that the claims are written so broadly as to read on any camera system that moves the camera, takes image with it, and stores the images that it takes. As shown in figure 1, Mano shows an image pickup

Art Unit: 2604

means (1), an image pickup direction switching means (2), and a storage means (7). A first detection means can be implied since the camera, in order to move to the desired position, must always “know” its present position. Wherever the camera is pointed, the storage means will store an “image signal according to the detected angle”.

5. Claims 3-5 and 7-8 rejected under 35 U.S.C. 103(a) as being unpatentable over Mano.

Mano does not explicitly state that the camera may move between positions where it images documents and positions where it images people. Mano merely states that the camera may move to different locations. Official Notice is taken that in teleconferencing environments, for example, it is notoriously well-known to use a camera to take images of both documents and participants. Based on this, it would have been obvious to have the camera movable between a position where it images documents (mounted on a mount table, of course) and where it images people.

For additional details, see the discussion of these claims above.

6. Claims 6 and 9 are rejected over 35 U.S.C. 103(a) as being unpatentable over Mano in view of Mizoguchi

These claims are rejected for the same reasons discussed above.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Serial Number: 426,798

Page 6


Art Unit: 2604

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wendy Garber whose telephone number is (703) 305-4929. The examiner can normally be reached on Monday-Friday from 7:00 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

WRG
November 22, 1996


**WENDY GARBER
PRIMARY EXAMINER
GROUP 2600**